

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of

Alan S. Bitzer et al

Docket No.: C-2812

Serial No.: 10/802,017

Art Unit: 1745

Filed: March 16, 2004

Examiner: Keith D. Walker

Title: Fuel Cell Hybrid Pump-Ejector
Fuel Recycle SystemI hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark
Office (Fax No. 571-273-8300) on October 11, 2005.

Barbara Cecere

RESPONSECommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Final Rejection dated September 19, 2005.
Only claims 2 and 3 remain for consideration.

The undersigned thanks the Examiner for the meaningful telephone
interview of October 5, 2005. Only the disclosure of the principal reference was
discussed; no agreement was reached.

The only issues in this case is whether Kashiwagi has a pressure regulator
(such as pressure regulator 8 therein) "which regulates the pressure of reactant gas
at said primary inlet" of the ejector "in response to the pressure of reactant gas at
said reactant gas flow field inlets" (claim 2) or "at said reactant gas flow field
outlets" (claim 3). The only mention of the pressure regulator 8 is in paragraph
0018 where it is stated to regulate "the pressure of hydrogen to a predetermined
pressure...." In each of the figures, elements which are controlled by the controller
20 are shown connected to the controller by dotted lines having arrows pointing to
the controlled element. The flow rate sensor 13 (Fig. 1) and the flow rate sensor

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15 (Fig. 7) are shown with a dotted line having an arrow pointing toward the controller. There are no such dotted lines pointing to the pressure regulator 8.

It is contended that a flow rate sensor is equivalent or can operate as a pressure sensor. Even if that were the case, which is not conceded, there is no indication in Kashiwagi that the flow rate or pressure information from the flow rate sensor 13 or from the flow rate sensor 15 is utilized in any fashion to control the element 8. Thus, Kashiwagi does not disclose the relationships of claims 2 and 3 quoted hereinbefore. For these reasons, reconsideration of the content of Kashiwagi and the rejections of the claims is hereby respectfully requested.

It is noted that in previous remarks, the undersigned referred to "a remote-sensed pressure sensor" which was in error; obviously, claims 2 and 3 include "a remote-sense pressure regulator"; the confusion that this caused is regretted.

Respectfully submitted,



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